

# TRAITÉ DE COOPÉRATION EN MATIÈRE DE BREVETS

**PCT**

**10/553949**

## RAPPORT PRÉLIMINAIRE INTERNATIONAL SUR LA BREVETABILITÉ (chapitre I du Traité de coopération en matière de brevets)

(règle 44bis du PCT)

Référence du dossier du déposant ou du mandataire <b>S 002 1412 INT</b>	<b>POUR SUITE À DONNER</b>		Voir le point 4 ci-dessous
Demande internationale no. <b>PCT/FR2004/000753</b>	Date du dépôt international ( <i>jour/mois/année</i> ) <b>24 March 2004 (24.03.2004)</b>	Date de priorité ( <i>jour/mois/année</i> ) <b>22 April 2003 (22.04.2003)</b>	
Classification internationale des brevets (8 <sup>e</sup> édition, sauf indication d'une #dition antérieure) Voir les informations pertinentes dans le formulaire PCT/ISA/237			
Déposant <b>SOCIETE FINANCIERE DE GESTION (SOCIETE CIVILE)</b>			

<p>1. Le présent rapport préliminaire international sur la brevetabilité (chapitre I) est établi par le Bureau international au nom de l'administration chargée de la recherche internationale selon la règle 44bis.1.a).</p> <p>2. Ce RAPPORT comprend un total de 7 feuilles, y compris la présente feuille de couverture.</p> <p>Dans les feuilles jointes, toute référence à l'opinion écrite de l'administration chargée de la recherche internationale doit être entendue, à la place, comme une référence au rapport préliminaire international sur la brevetabilité (chapitre I).</p>																
<p>3. Le présent rapport contient des indications relatives aux points suivants :</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><input checked="" type="checkbox"/></td> <td style="width: 85%;">Cadre n° I                      Base de l'opinion</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Cadre n° II                      Priorité</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° III                      Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° IV                      Absence d'unité de l'invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Cadre n° V                      Déclaration motivée selon l'article 35.2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° VI                      Certains documents cités</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° VII                      Certaines irrégularités relevées dans la demande internationale</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° VIII                    Certaines observations relatives à la demande internationale</td> </tr> </table> <p>4. Le Bureau international communiquera le présent rapport aux offices désignés conformément aux règles 44bis.3.c) et 93bis.1 mais pas avant l'expiration du délai de 30 mois à compter de la date de priorité (règle 44bis.2), sauf si le déposant a présenté une requête expresse à cet égard en vertu de l'article 23.2).</p>	<input checked="" type="checkbox"/>	Cadre n° I                      Base de l'opinion	<input checked="" type="checkbox"/>	Cadre n° II                      Priorité	<input type="checkbox"/>	Cadre n° III                      Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle	<input type="checkbox"/>	Cadre n° IV                      Absence d'unité de l'invention	<input checked="" type="checkbox"/>	Cadre n° V                      Déclaration motivée selon l'article 35.2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration	<input type="checkbox"/>	Cadre n° VI                      Certains documents cités	<input type="checkbox"/>	Cadre n° VII                      Certaines irrégularités relevées dans la demande internationale	<input type="checkbox"/>	Cadre n° VIII                    Certaines observations relatives à la demande internationale
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<input type="checkbox"/>	Cadre n° VI                      Certains documents cités															
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<input type="checkbox"/>	Cadre n° VIII                    Certaines observations relatives à la demande internationale															

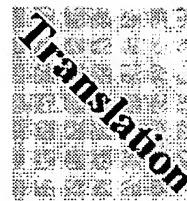
<p>Bureau international de l'OMPI 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>no de télécopieur +41 22 740 14 35</p>	<p>Date d'établissement du présent rapport <b>02 March 2006 (02.03.2006)</b></p> <p>Fonctionnaire autorisé <b>Athina Nickitas-Etienne</b></p> <p>no de téléphone : +41 22 338 89 95</p>
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**PATENT COOPERATION TREATY**

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

**PCT**



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)
Applicant's or agent's file reference <b>S 002 1412 INT</b>		FOR FURTHER ACTION See paragraph 2 below
International application No. <b>PCT/FR2004/000753</b>	International filing date (day/month/year) <b>24.03.2004</b>	Priority date (day/month/year) <b>22.04.2003</b>
International Patent Classification (IPC) or both national classification and IPC		
Applicant <b>SOCIETE FINANCIERE DE GESTION (SOCIETE CIVILE)</b>		

<p>1. This opinion contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Box No. I Basis of the opinion</li> <li><input checked="" type="checkbox"/> Box No. II Priority</li> <li><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li><input type="checkbox"/> Box No. IV Lack of unity of invention</li> <li><input checked="" type="checkbox"/> Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li><input type="checkbox"/> Box No. VI Certain documents cited</li> <li><input type="checkbox"/> Box No. VII Certain defects in the international application</li> <li><input type="checkbox"/> Box No. VIII Certain observations on the international application</li> </ul> <p>2. <b>FURTHER ACTION</b></p> <p>If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.</p> <p>For further options, see Form PCT/ISA/220.</p> <p>3. For further details, see notes to Form PCT/ISA/220.</p>
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Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/FR2004/000753

Box No. I	Basis of this opinion
1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.	
<input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).	
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:	
a. type of material	
<input type="checkbox"/> a sequence listing	
<input type="checkbox"/> table(s) related to the sequence listing	
b. format of material	
<input type="checkbox"/> in written format	
<input type="checkbox"/> in computer readable form	
c. time of filing/furnishing	
<input type="checkbox"/> contained in the international application as filed.	
<input type="checkbox"/> filed together with the international application in computer readable form.	
<input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.	
3. <input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.	
4. Additional comments:	

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Box No. II Priority

1.  The following document has not yet been furnished:  
 copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).  
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).  
Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.
2.  This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

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INTERNATIONAL SEARCHING AUTHORITY**

International application No.	PCT/FR2004/000753
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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or Industrial applicability; citations and explanations supporting such statement
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**1. Statement**

Novelty (N)	Claims 1-5	YES
	Claims _____	NO
Inventive step (IS)	Claims 1-5	YES
	Claims _____	NO
Industrial applicability (IA)	Claims 1-5	YES
	Claims _____	NO

**2. Citations and explanations:**

1. Reference is made to the following document in the present notification:  
D1: US 6 182 816 B1 (MOTT GEORGE T et al.) 6  
February 2001 (2001-02-06)

**Novelty**

2. Document D1, which is considered the most relevant prior art, describes (the references between parentheses apply to this document):

A scraper blade (14) made of synthetic material moulded on an insert (21),

the subject matter of which in independent claim 1 differs in that:

The insert is in the shape of a metal plate comprising a first external part that extends the base of the scraper blade downward and a second internal part at an angle to the aforementioned first part and this angle being such that the forces acting on the blade when the blade is applied to the conveyor are notably perpendicular

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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	to the second part.

- 2.1 Therefore, the subject matter of claim 1 is novel (PCT Article 33(2)).

The problem that the present invention is intended to solve can thus be considered to be as that of: Problems related to the life of the blade, particularly those linked to the stresses that are transmitted in the blade, as these stresses are mainly directed in the direction of the height of said blade. The blade must then distribute all the stresses, and often connection flaws between the insert and the moulded part above it.

- 2.2 The solution to this problem, as proposed in claim 1 of the present application, is considered to involve an inventive step (PCT Article 33(3)), for the following reasons:

The problem is not solved in D1, since the insert is often a sort of W-shaped section. The present application solves this problem by providing the scraper blade with an insert in the form of a plate with two inclined parts. In this way, the forces acting on the blade do not make the area where the blade is joined with the plate work under shear stress, but on the contrary act on this compressed plate and thereby make the area connecting the two parts of this plate work under flexural stress.

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INTERNATIONAL SEARCHING AUTHORITY

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Box No. V      Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

2.3 None of the prior art documents available would lead a person skilled in the art to this alternative manner of providing the scraper blade with an insert in the form of a plate with two inclined parts.

**Dependent Claims**

2.4 Claims 2-5 are dependent on claim 1 and as such also meet the requirements of novelty and inventive step of the PCT.